IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE A.K.BASHEER

TUESDAY, THE 16TH JANUARY 2007 / 26TH PAUSHA 1928

LA.App..No. 40 of 2007()

LAR.60/1991 of PRINCIPAL SUB COURT,ALAPPUZHA
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APPELLANT: RESPONDENT

STATE OF KERALA, REP. BY
THE DISTRICT COLLECTOR, ALAPPUZHA.

BY GOVERNMENT PLEADER SRI.K.V.MANOJ KUMAR

RESPONDENTS: CLAIMANTS
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1. JOJI MATHEW,
VADAKKEKALAM, ALAPPUZHA.

2. JOSEPH ANTONY,
VADAKKEKALAM, ALAPPUZHA.

3. JOSEPH THOMAS,
VADAKKEKALAM, ALAPPUZHA.

4. JOSEPH JOSEPH,
VADAKKEKALAM, ALAPPUZHA.

5. LEELAMMA MATHEW,
VADAKKEKALAM, ALAPPUZHA.

6. JOSE MATHEW,
VADAKKEKALAM, ALAPPUZHA.

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 16/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & A.K.BASHEER,JJ.

C.M.Appln.No.52 of 2007
in L.A.A.No.40 of 2007

Dated this the 16th day of January, 2007

O R D E R

Kurian Joseph,J.

This is a petition to condone the delay of 632 days in filing the appeal. It is admitted in the affidavit that the files were received in the Advocate General's office on 2-12-2005. But the appeal is filed only in 2007. There is absolutely no explanation for the inordinate delay caused in the office of the Advocate General. Be that as it may, on merits also it is seen that the reference court has awarded only 50% of the value shown in Ext.A1 document, despite finding that the acquired property is of great tourism potential. Thus it is fairly clear that there is no chance for the appellant to succeed in the appeal. Hence it is not necessary to condone the delay. Accordingly the delay condonation petition is dismissed.

(KURIAN JOSEPH, JUDGE)

(A.K.BASHEER, JUDGE)

ahg.

KURIAN JOSEPH & A.K.BASHEER,JJ.

L.A.A.No.40 of 2007

Dated this the 16th day of January, 2007

JUDGMENT

Kurian Joseph,J.

In view of the dismissal of the petition for condonation of delay, this appeal is also dismissed.

(KURIAN JOSEPH, JUDGE)

(A.K.BASHEER, JUDGE)

ahg.